

UNITED STATES DISTRICT COURT FOR
THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

NATIONAL ASSOCIATION FOR STOCK
CAR AUTO RACING, INC., MOTORSPORTS
AUTHENTICS, LLC, SPEEDWAY
MOTORSPORTS, INC., SPEEDWAY
PROPERTIES COMPANY, LLC, NEW
HAMPSHIRE SPEEDWAY, INC.,
INTERNATIONAL SPEEDWAY
CORPORATION, RCR ENTERPRISES, LLC,
ROUSH FENWAY RACING, LLC, JOE
GIBBS RACING, INC., HENDRICK
MOTORSPORTS, LLC, HMS
MOTORSPORTS, LLC, JEFF GORDON, INC.,
DEJ HOLDINGS, LLC, RUSTY WALLACE,
INC., PENSKE RACING SOUTH, INC.,
PENSKE RACING LLC, DALE
EARNHARDT, INC., GILLETT EVERNHAM
MOTORSPORTS, L.L.C., RED BULL GMBH,
MICHAEL WALTRIP RACING HOLDINGS,
LLC, and CHIP GANASSI RACING WITH
FELIX SABATES, INC.,

Plaintiffs,

v.

VARIOUS JOHN AND JANE DOES, and
VARIOUS XYZ CORPORATIONS,

Defendants.

Civil Action No. 3:08cv44

Filed Under Seal

ORDER SEALING FILE AND DOCKET SHEET

Upon consideration of Plaintiffs' Motion for an Order Temporarily

Sealing File and Docket Sheet, Plaintiffs' Memorandum of Law in Support of Motion for
an Order Temporarily Sealing the File and Docket Sheet, and the Verified Complaint in
this action, and pursuant to Local Rule 6.1, the Court finds as follows:

1. The material sought to be sealed is all filings in this case, as required by 15 U.S.C. § 1116(d).

2. Sealing is necessary, and there are no alternatives to filing under seal, because sealing is mandated by 15 U.S.C. § 1116(d). In addition, sealing is proper and warranted in this case (1) to protect Defendants from publicity before they have an opportunity to respond to the seizure order, and (2) to prevent Defendants from learning of the existence of this Action or any seizure order prior to its execution.

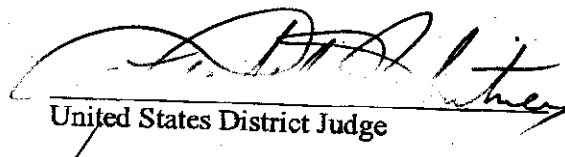
3. With respect to the duration of sealing, 15 U.S.C. § 1116(d)(8) requires sealing "until the person against whom the order is directed has an opportunity to contest" the *ex parte* seizure order. Thus, sealing is required at least until the Court conducts a hearing following issuance of the requested seizure order, if appropriate.

Good cause having been shown, it is hereby:

ORDERED that the Clerk of this Court (1) shall seal the file of this action pursuant to 15 U.S.C. § 1116(d) and Local Rule 6.1, until a hearing has been held on the seizure order requested by Plaintiffs; and (2) shall make the case file available electronically to all counsel of record, and permit any person who has demonstrated that he or she is a party to this Action to have access to the file as provided by 15 U.S.C. § 1116(d)(8).

IT IS FURTHER ORDERED that this Order shall expire at the time a hearing is held on the requested seizure order pursuant to 15 U.S.C. § 1116(d)(10)(A).

Dated: February 8th, 2008


United States District Judge